

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

	CIVIL ACTION NO.: 05 10596 NMG
THOMAS KELLEY,	)
Plaintiff,	)
	)
VS.	)
	)
TOWN OF PLYMOUTH and	)
ROBERT J. POMEROY, as Chief of the	)
Plymouth Police Department and	)
Individually,	)
Defendants.	)

**ASSENTED TO MOTION FOR NEW TRIAL DATE**

Now come the Defendants in the above-captioned matter, and respectfully request this Honorable Court continue the present trial date of January 19, 2008 to either March 3rd or March 10, 2008. As reasons for this motion, counsel for the Defendants state that he is scheduled to begin a two-week trial in Suffolk Superior Court on January 22, 2008 (*Kihanya v. Boston Public Schools, et. al., Civil Action No. SUCV2004-0006*). Further, this Court's recently assigned trial date of January 19, 2008 is a Saturday.

The Plaintiff assents to this request.

The Defendants further state that the parties will not be prejudiced by this proposed continuance. Therefore, the Defendants respectfully request that this Court allow the continuance.

Assented to,  
PLAINTIFF,  
THOMAS KELLEY,  
By his attorney,

Respectfully submitted,  
DEFENDANTS,  
ROBERT J. POMEROY and the  
TOWN OF PLYMOUTH,  
By their attorneys,

/s/ Joseph R. Gallitano  
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